

Review and Discussion of Amendments to the California Motor Vehicle Service Information Rulemaking

Agenda Item No: 04-1-4

May 20, 2004

California Environmental Protection Agency



Air Resources Board

Regulatory Overview

- **Regulation Required by H&S 43105.5**
- **Ensures access to dealership quality tools and service information**
- **Applies to 1994 and Later OBD equipped vehicles**
- **Access to information over Internet required**

January Board Action

- **Approved amendments for adoption**
 - **Light-duty vehicles: low cost tool requirement for immobilizer initialization**
 - **applicability of reg extended to heavy-duty vehicles**
- **Staff directed to report back on:**
 - **immobilizer solution for computer remanufacturers**
 - **Heavy-duty manufacturers' liability with respect to tools availability**
- **Record kept open pending consideration of HD OBD item (EMD)**

Is There a Better Solution for Computer Remanufacturers?

- Stakeholders meeting - April 21
- Remanufacturers presented vehicle software change proposal
- Vehicle manufacturers maintain favor for solution based on adaptation of immobilizer service procedures.

Immobilizer Issue Solutions

Solution	Who favors solution?	Cost Impact	Security Issues?	Requires Regulation?	Statute Concerns?
Service Procedures on Test Bench (Existing)	Vehicle manufacturers	Less than \$250 per computer tested	No	No	No
Vehicle Software Changes (Proposed)	Remanufacturers	Less than \$1 per vehicle	Possible but unlikely	Yes	Yes

Staff Analysis

- **Either solution is feasible and shouldn't cause major cost / business process impacts**
- **Staff maintains that service procedures solution is best regulatory approach**
 - **It can be applied to existing and future vehicles at reasonable costs**
 - **Doesn't conflict with legislative intent**
 - **Doesn't raise new security concerns**

Lead Time for Low Cost Immobilizer Service Tools

- **Honda requested lead time through 2009 for low cost service tools requirement (2007 currently)**
- **Honda still working with staff, U.S. EPA, and aftermarket to address interim solution concerns**
- **Outcome of discussion can be handled through 15 day change process if necessary**

Are Manufacturers Liable for Misuse of Service Tools and Related Information?

- **Light-duty industry uses indemnity / hold harmless agreements**
- **Safeguards put in vehicle / engine computer to avoid problems**
- **Staff believes more lead time for HD industry is necessary to add safeguards**
 - **Delay bi-directional control/reprogramming info and tools requirements until 2010**
 - **Data stream information can be safely provided by 2007 MY**

Conclusions

- **Outstanding regulatory issues being addressed**
- **Necessary adjustments handled through 15 day change process**